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- Campaigns to raise awareness of children exposed to domestic violence should include a focus on raising corporate awareness of the problem and enlisting that sector's support in providing funds and other resources to address it.

Early identification of children who are witnessing repetitive violence at home is perhaps the best way to know to whom to provide support. First responders are often police. In Delaware, Ms. Brady noted, a Domestic Incident Report must be completed in every case in which a domestic violence arrest is made, or if there have been three responses of a domestic violence nature to a home, even if no arrest is made. The Division of Child Protection Services has to be called and the name of every child present reported. The incident report also includes information on risk factors to guide police.

A second way to determine the extent of the problem is to keep statistics. Delaware's Domestic Incident form asks whether a child is present during a criminal domestic violence incident (and in about 50% of the cases, there is a child present).

Children need to get services quickly. The Violent Crimes Compensation Board in Delaware, for example, has adopted a program called the Child Counseling and Assessment Program (CCAP). CCAP provides early identification of physical and mental health needs and up to \$1200 in services before a formal application is even filed.

Subcommittee members had also discussed the issue of mandatory reporting in detail. There was a difference of opinion among members about whether parents who allow domestic violence to occur in the presence of their children should be charged. Some felt that arresting the parent essentially resulted in re-victimization; others, that if the government failed to adequately respond, it would be turning its back on the children.

The subcommittee opened up the discussion to the entire NAC membership.

In answer to a question, Jane Root spoke about the need for children who witness violence to be seen immediately by a child advocacy center and have a mental health evaluation done.

Casey Gwinn pointed to good models in shelter-based programs and the Family Justice Centers, in which youth were receiving "children exposed" assessments. However, he said, most child advocacy centers are so overloaded with work, they tend to concentrate only on the more chronic cases involving physical or sexual abuse of a child. He suggested adding a section to the subcommittee's report that would note some model programs where children who may have witnessed violence, but not actually been physically/sexually abused, were getting good treatment.

Melissa Hook said that trauma response for children who witness violence does seem to be consistent in shelter and transitional housing programs. Jane Brady agreed, saying that while it is best for children not to be displaced, such settings can expose children to a sense of normalcy in the way people interact that they may not have at home.



Jane Brady talked about a website "Safe from the Start" from the California Attorney General's Office that assesses programs. This is helpful because of OVW's concern that it should not endorse a program until it has been properly vetted.

She also discussed the Corporate Citizen Initiative, a public-private initiative in Delaware. CCI, in collaboration with the Family Violence Prevention Fund developed a Model Policy on Domestic Violence in the Workplace. Judge Brady said she would e-mail a copy of the model policy for dissemination to the committee.

Larry Tackman suggested that DOJ should discuss with the National Association of Crime Victim Compensation Boards how compensation could play a role in the assessment and treatment of children who witness violence. Part of that discussion should focus on providing additional federal monies he said is not currently being used because of VOCA spending caps.

Casey Gwinn applauded the identification of children as an underserved group, rather than just as secondary victims. He also said that because this would be the last meeting of this NAC, the committee should select 2-3 items it feels should be made a priority.

Acting Director Buchanan asked the committee to consider: 1) what it collectively wanted to recommend as a result of hearing the four reports; 2) what it would suggest future advisory committees focus on; and 3) how the final report to the Attorney General and Secretary of Health and Human Services could be used, thinking creatively and broadly.

5. The committee met briefly with the Attorney General and a group photo was taken.

## ***December 4***

1) Public Comment: Stanley Green, International Victims' Resources Advocate, SAFE International, Stop Abuse for Everyone, Inc. addressed the committee.

Mr. Green, who has said he is a survivor of domestic violence perpetrated by his wife, noted that this was the ninth meeting of the NAC he had attended over the last 4 1/2 years.

He said he has been an advocate for a more "inclusive vision" of how domestic violence and sexual assault are addressed, considering victims of violence in same sex relationships; in relationships where the perpetrator is female and the victim is male; as well as appropriate offender treatment programs regardless of gender.

He spoke of other small steps in progress in this area. Over the years, for example, he has noticed that the NAC's reports have shown more use of inclusive language. In 2000, with the renewal of VAWA, he said, Sen. Orrin Hatch read into the Congressional Record a statement of Congressional intent stating the need to recognize that men can also be victims and services should be available to them as well. Then, with the 2005 reauthorization of VAWA, there came a "non-exclusionary clause" stating that "nothing in this title shall be construed to prohibit male victims of domestic violence, dating violence, sexual assault, and stalking from receiving benefits and services under this title."

As far as the current VAWA, he said, some sections use explicitly inclusive language, mentioning both males and females. Other sections are gender neutral. And some sections are explicitly gender exclusive.

He encouraged the committee to exert leadership in working to make language and imagery more gender inclusive in research and policies regarding domestic violence and sexual assault.

Casey Gwinn said that Mr. Green's points were well taken, but added that the dynamics of violence and abuse in a relationship could be complex. He spoke about this issue in regard to the Family Justice Centers. He said that the FJCs currently operating each serve male clients. The percentage of males varies, but at the San Diego FJC, about 10% of clients are male. Some men who come to the center are reporting truthfully that they are victims of a female partner, he said. However, other men who say they are victims of domestic violence turn out to actually to be the primary aggressor. There is a need to be careful in determining who is actually the primary aggressor and who is the victim.

Mr. Gwinn noted that sometimes a female victim of chronic abuse will fight back. In one case he prosecuted, a woman who had been abused for 20 years hit the abuser in the head with a baseball bat in front of a police officer. She is not a batterer, he said; instead, she responded to years of chronic abuse by committing a crime when she felt safe (because of the presence of the officer). So when a man reports having being hit by a woman, it is

possible that she was just responding to chronic abuse by the man.

Acting Director Buchanan said that a Bureau of Justice Statistics study from last year noted a rise in violence in same-sex relationships. She said it was hard to say, however, whether that was because there were actually more incidents of such violence or because there was greater *reporting* of such incidents.

2. The committee heard presentations from the remaining two subcommittees and engaged in discussion about those reports.

### **Presentation and Report: Outreach to Faith-based and Community Organizations Subcommittee**

Outreach to Faith-based and Community Organizations (FBCO) Subcommittee Co-Chairs Renee Schulte and Pastor Bill Shuler spoke about their findings, first reading the charge given to the subcommittee.

Through their research, they found that faith leaders are among the first contacts for a person facing a crisis, domestic-violence related or otherwise. So, a key question is how prepared clergy members are to give appropriate responses to those that come to them in such a situation. The subcommittee determined that many denominations, such as the Catholic Church and the Church of Jesus Christ of Latter-day Saints have structured leadership throughout the country and have adopted policies that advise clergy how to respond to parishioners seeking help. However, many other faith groups, such as those falling into the non-denominational/evangelical category are not as structured. Non-denominational churches can be completely independent of any religious organization or administration, and the pastors in those churches may not have had resources or training passed down to them.

The FBCO Subcommittee has sought to develop recommendations for tools and materials to assist faith leaders/communities, while respecting the limitations on government action required by the U.S. Constitution.

Many faith-based groups, particularly small congregations, don't have the materials/resources they need on the front lines. In addition, they feel discouraged about the complications and restrictions to funding. They either don't feel they're qualified for federal or state funding, or they don't know how to go about applying for those funds. Often, they are unaware of the many grants available.

The subcommittee has two main recommendations:

- The creation of an online "one-stop shop" for faith leaders. The subcommittee consulted with OVW and the National Criminal Justice Reference Service (NCJRS) to develop a prototype through [enditnow.gov](http://enditnow.gov).
- Outreach to faith-based communities to make them aware of these resources through the creation of materials (e.g., bulletin inserts, bookmarks, fliers) for distribution to congregations and interfaith organizations and at faith-based

conferences.

Pastor Shuler explained that the online resource would be faith-community friendly and in simple terms. It would provide information on sexual assault, domestic violence, dating violence and stalking; tips on what faith leaders can do to assist victims; and guidance on where to turn for immediate help. He noted that many faith leaders, including himself, have gone through seminary without being trained on these issues.

The online resource would also include information on how to apply for and receive faith-based funding. Many clergy are either suspicious of government intervention or they think they would never be successful in applying for funding. The resource would have links to OVW and the Office for Victims of Crime for information on grant programs and resources; as well as links to state faith-based and community liaisons that can assist clergy in finding state-level grants and resources.

NCJRS and the subcommittee have also compiled a list of upcoming faith-based conferences and training sessions for 2008; as well as contact information for faith-community associations.

Leon Geter, a NCJRS project manager, talked to the panel about some of NCJRS's efforts in support of the FBCO Subcommittee. These include "mock-up" samples of bookmarks, fliers, and bulletin inserts that could be distributed to national interfaith groups and seminaries and at conferences for faith leaders. The outreach effort would make faith leaders aware of [enditnow.gov/faith](http://enditnow.gov/faith), an addition to OVW's current [enditnow.gov](http://enditnow.gov) website.

The committee as a whole next discussed the presentation.

Sheryl Cates talked about efforts of the Texas Council on Family Violence to involve the faith community more. Several years ago, for example, the Council began a project, Communities of Faith, that brings together an ecumenically diverse coalition of Texas faith leaders to help guide the Council's work across the state. The Council has learned about each faith and the needs of each congregation. In turn, it has helped the various faith communities in such ways as providing information on how to best assist domestic violence victims. It has also pushed for partnerships between faith communities and local domestic violence shelters. Many victims are seeking support from faith leaders. Some shelters in the state have worship centers, and faith leaders can come to the shelters to counsel victims if they are requested.

In response to a question about reaching out to seminaries, Pastor Shuler spoke of the need to find out if there was a national group that had authority to speak with all seminaries and suggest to them the importance of including response to domestic violence victims in their curriculums. Another question was whether there were still religious communities that advocated a woman stay with an abusive partner. Pastor Shuler said that he hoped the website material would cover how to properly counsel a victim and state that until an abusive situation is no longer present, a faith leader should avoid advising a victim to return to her spouse/partner.

Casey Gwinn said that there now seemed to be more of an acknowledgement that domestic violence victims can experience tremendous spiritual trauma. He said that the referral system for social services in the last quarter century has not well addressed those spiritual needs, as most agencies don't provide on-site spiritual support when victims come there for other services. The response has been to refer victims to their faith community. But if their faith community is not a safe place to go, or the violence has not been addressed, or the clergy has not been trained in counseling domestic violence victims, then that could be detrimental to the victim.

Some Family Justice Centers have instead been using the model of the on-site prison or hospital chaplain. When clergy, as part of a larger volunteer program, are located onsite at the FJCs and victims are introduced to those clergy and told that they are available to talk to the victim if he/she wants, then the victim is more likely to use the counseling services of the faith leaders.

Scott Wyatt, a FBCO Subcommittee member, said that the main goal of the subcommittee's recommendations was to elevate faith leaders and help them assist those who come to them with violence problems.

### **Presentation and Report: Expanding the Reach of Victim Services Subcommittee**

Chairwoman Jane Root introduced herself and the other subcommittee members: Cordelia Clapp, Scott Berkowitz, Anne Crews, and Marsha Gilmer-Tullis. She noted that member Tiffany Carr was unable to attend today's meeting.

The subcommittee decided to narrow its focus to Native American/Alaskan Native and immigrant communities. It had discussed expansion of services to victims in military communities but determined that making specific recommendations about this population would not be possible given time and space limitations for the report. Issues of violence against women in the military are also being addressed through internal Department of Defense commissions and other groups.

Jane Root and Cordelia Clapp studied the problem of victim services in Indian Country. Native American women are victimized by domestic violence and sexual assault at a far higher rate than any other group in the country, they said. Too few programs exist, with too few trained, experienced service providers. Programs that exist are poorly resourced. In some jurisdictions, system- and community-based assistance and law enforcement are virtually nonexistent.

The Subcommittee made numerous recommendations regarding services to the Native American/Alaskan Native populations:

- Sustain native-run sexual assault/domestic violence response programs with trained, dedicated personnel. There are currently about 120 Native American service providers, yet there are 562 federally recognized tribes, so many communities do not have these services.

- Programs that effectively collaborate with others (e.g., the Indian Health Service-Administration for Children and Families Domestic Violence Pilot Project) maximize the use of limited resources. OVW-funded programs should partner with OVC- and HHS-funded programs to ensure coordination of services.
- Domestic violence/sexual assault programs that involve the tribal government are better able to focus their attention on their clients rather than on mere program survival.
- There should be experienced program managers who will mentor new program managers. Technical assistance should be available regionally to help a community get a safe, confidential program started.
- Awareness activities at Native gatherings such as Pow-wows, sporting events, health fairs increase public knowledge of the issues of sexual assault and domestic violence.
- Tribal Title IX of the 2005 Violence Against Women Act has not been implemented as intended by Congress, and this should be rectified. Similarly, though VAWA authorized funding for Title V, which strengthens the health care system's response to family violence, adequate funds have not been appropriated for this purpose.
- Congress needs to recognize tribal authority over all offenders committing crimes on tribal lands, including non-Native offenders not living on tribal land. This includes the authority to investigate, prosecute, sentence and incarcerate individuals.
- The government has the responsibility to honor the authority of tribal governments.
- The family violence law should be amended to allow domestic violence victims to use HUD funds to help obtain permanent housing.
- Build the capacity of grassroots domestic violence/sexual assault task forces in Indian Country to increase awareness of victim safety issues and offender accountability. Simultaneously, the practice of state coalitions refusing to allow tribal DV/SA programs to join the coalition on the grounds that they are not stand-alone non-profit victim service providers should be strongly discouraged.
- VAWA funds designated for Native American/Alaskan Native tribes should not be diverted to other uses or communities. As additional undesignated set-aside funds become available, OVW grants should be prioritized for release to the Native and Alaskan communities.
- With only 26 U.S. tribes operating domestic violence shelters, there is a need for funding to both increase the number of shelters and build, buy or rent facilities.
- More funding should be devoted to research specific to domestic violence and sexual assault in Indian Country.
- Fund services that encompass spiritual approaches and employ traditional healing methods. Funding is also needed for translators for members of the community who only speak their Native language, and for those who prefer to receive services related to intimate matters in their Native language.
- Increase the budget of IHS to insure that essential, high quality sexual assault and domestic violence services can be provided at all IHS health facilities. Ideally, all 12 administrative area offices would have a staff member dedicated to domestic

violence/sexual assault.

- There are too few domestic violence programs in Indian Country. More programs are needed, located close to Native women.
- Mental health services, including crisis intervention and trauma counseling need to be expanded. In addition women may need services for co-occurring substance abuse problems. Many victim assistance programs do not serve women who present with multiple health concerns. Yet these are precisely the women who may be most in need of such services.
- Victim services to sexual assault and domestic violence victims in Indian Country should be provided by Native service providers. In cases where services are provided by non-Native programs, providers must obtain mandatory cultural competency training specific to the community they are serving. Non-native programs serving native women need to formally collaborate with a Native Women's Advisory Committee.
- Increase involvement of elders and traditionalists to implement more culturally relevant training.
- Domestic violence/sexual assault and dating violence prevention education in Indian Country should begin in pre-school and age-appropriate violence prevention programming should be delivered at every grade level annually.
- Service providers need ongoing education about domestic violence and sexual assault. Improved regional/local technical assistance is needed to ensure quality services are provided to Native victims.
- Service providers need additional training to respond appropriately when women present with additional complex problems.
- Annual safety audits should be conducted to ensure domestic violence shelters are operated according to model shelter management standards.
- Culturally competent domestic violence training should be mandatory for IHS providers; federal and tribal law enforcement agencies and federal prosecutors who work in conjunction with Native Americans/Alaskan Natives; trainees in local, state and tribal law enforcement training academies; state and tribal court personnel; and personnel in corrections and parole/probation programs.

Scott Berkowitz summarized the committee's findings on expanding the reach of services to immigrant populations. After talking with numerous local service providers as well as state and national organizations, the subcommittee found a surprising uniformity in the responses. What was needed was not so much systemic change, but resources and expertise in several areas.

Mr. Berkowitz said that many of the subcommittee's recommendations for the Native American/Alaskan Native population also applied to the immigrant communities. In addition, the subcommittee stressed the need to:

- Win the trust of immigrants to get them in the door to access services. The challenge is to have staff and volunteers from the immigrant community and who speak their language.

- Improve language resources, especially in rural and suburban areas not serving a large immigrant population. Tele-interpreter services (e.g., Language Line) should be made more available.
- Hire and train staff from immigrant communities, particularly in urban areas with larger specific immigrant populations.
- Use local language media to reach special populations and tailor messages to those populations.
- Establish partnerships with immigrant attorneys and members of the local/state bar associations.

The entire committee next discussed the subcommittee's recommendations.

Acting Director Buchanan spoke of a new NIJ/OVW-developed training tool on sexual assault forensic examinations. IHS believes this will be an excellent resource, and DOJ would like to get the protocol into every Native American community.

Larry Tackman said there was a need to provide funding to grassroots Native American organizations. Grassroots groups - vested in what they do in their tribal government, but perhaps not as skilled at writing good grant applications - tend to be more efficient and make more of a difference in their communities.

Scott Berkowitz said that many service providers have expressed frustration about misinformation/rumors sweeping through immigrant communities; for example, that if a woman reports that her husband or partner has abused her, that she will be arrested or deported. Marsha Garst spoke about a successful tool in Virginia that is helping victims get their residency papers and stay in the U.S., taking away the power the abusive husband has over his wife. She encouraged such a tool be considered for use with all domestic violence victims. Victims are much more likely to come to service providers for help and are more willing to prosecute if they don't think that their abusive partners will retaliate, she said.

3. Acting Director Buchanan noted that the Attorney General is expected to continue the NAC and issue a new charter for the next iteration of the panel. It is likely he would ask some members to serve on that committee, she said, and if anyone did not want to serve on the next NAC, they could tell her privately.

She noted that NAC members are generally appointed for two-year terms, and it is not unprecedented for a person appointed by one administration to continue over into another administration. Wanda Jones said that from her experience this continuity from one administration to the next is actually ideal.

Acting Director Buchanan asked the NAC to discuss what to add to the reports and how the reports should be used.

She recommended having each subcommittee chairperson develop an executive summary, which would be reviewed by the committee as a whole before being submitted



to the Attorney General. Casey Gwinn suggested that each committee try to select perhaps two priority recommendations that it felt should be taken on as projects as soon as possible.

After discussion, the panel agreed it should also make recommendations to the Attorney General and Secretary of HHS for several cutting edge issues that the next NAC should take up.

Ludy Green said that in her experience as an activist for women and family issues, she has found that financial independence through meaningful employment has played a key role in giving victims self-sufficiency, self-confidence and the opportunity to create a new life.

Casey Gwinn agreed that economic justice for women and children is a pressing issue for the next NAC to work on. Other panel members suggested that affordable housing and childcare also be included under the topic of economic justice.

Renee Schulte suggested another major topic for the next NAC to tackle would be the question of how to better educate, and get information out to, a large and diverse faith community.

Scott Wyatt said another area for the next committee to consider would be how to innovatively integrate domestic violence/sexual assault issues into a college curriculum.

Acting Director Buchanan asked panel members to mull over other possible priority issues for the next NAC panel and to forward their ideas to the OVW.

Sheryl Cates said she was looking forward to continuing collaboration with the members of the NAC and said that it was through such collaboration that service providers were able to increase their ability to help victims of domestic violence.

The panel thanked Acting Director Buchanan for her support and leadership.

The meeting adjourned.